

REMARKS

Examiner Parsons is thanked for the courtesy extended during the Office Interview on April 14, 2006.

The Interview Summary is believed to accurately reflect what was discussed at the Interview.

Reconsideration of the rejection of Claims 1-2, 4, 5, 7, 10 and 13 under 35 U.S.C. §102(b) as being anticipated by Malay (U.S. Patent No. 6,183,902) and the rejection of Claims 3, 6, 8, 9, 11 and 12 under 35 U.S.C. §103(a) as being unpatentable over Malay is hereby requested. As stated in the Interview Summary "...a proposed amendment to Claims 1 and 7 distinguish over the prior art". Claims 1 and 7 have been amended as proposed. Applicant submits that the cover in the present application secures at least the cathode and the separator whereas, in Malay, the gasket secures the cathode and the separator. Therefore, Claims 1 and 7 are considered to be in condition for allowance, and such is respectfully requested.

Claim 3 has been amended to clarify the language of the claim.

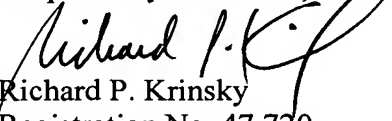
Claims 2-6 depend from Claim 1 and Claims 8-13 depend from Claim 7. Therefore, Applicants submit that Claims 2-6 and 8-13 are allowable for at least the same reasons as Claims 1 and 7 and for their own limitations as well, and such is respectfully requested.

Based upon the above Claims 1-13 are in condition for allowance, and such is respectfully requested.

In view of the above, the Application is now in condition for allowance and such is respectfully requested.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and shortages in other fees be charged, or any overpayment in fees be credited, to the Account of Barnes & Thornburg LLP, Deposit Account No. 02-1010 (35211/41473).

Respectfully submitted,


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